

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

319L0488

HOUSE BILL NO. 1075

Introduced by: Representatives Frost, Cutler, Elliott, Gassman, Glenski, Hunhoff, Kraus, Lange, McCoy, Miles, Rave, Roberts, Thompson, Van Etten, and Weems and Senators Sutton (Duane), Adelstein, Hansen (Tom), Hundstad, Knudson, and Kooistra

1 FOR AN ACT ENTITLED, An Act to repeal certain exceptions to the prohibition on smoking
2 in certain public places.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 22-36-2 be amended to read as follows:

5 22-36-2. No person may smoke tobacco or carry any lighted tobacco product in any public
6 place or place of employment. This section does not apply to any sleeping room in a lodging
7 establishment as defined in § 34-18-1, ~~to any on-sale licensee pursuant to chapter 35-4, to any~~
8 ~~video lottery licensed establishment pursuant to chapter 42-7A, to any licensee pursuant to~~
9 ~~chapter 42-7B, or to any tobacco or packaged liquor store if the store is primarily used for the~~
10 ~~sale of tobacco or alcoholic beverages, or both, and the sale of other products is merely~~
11 ~~incidental.~~

12 A violation of this section is a petty offense.

